

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

MAR 13 2019

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: LOUIS A. COFFELT, Jr.

No. 18-73235

LOUIS A. COFFELT, Jr.,

D.C. No.

5:17-cv-01684-FMO-SHK  
Central District of California,  
Riverside

Petitioner,

v.

ORDER

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF  
CALIFORNIA, RIVERSIDE,

Respondent,

AUTODESK, INC.,

Real Party in Interest.

Before: CANBY, GRABER, and W. FLETCHER, Circuit Judges.

Petitioner has not demonstrated that this case warrants the intervention of this court by means of the extraordinary remedy of mandamus. *See Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Accordingly, the request for a writ of mandamus is denied.

However, the instant petition also manifests an intent to appeal from the district court's November 13, 2018 order denying the post judgment motions in the underlying district court case. Petitioner previously filed a notice of appeal of the

district court's judgment in case No. 5:17-cv-01684, and that appeal is pending (No. 18-56305). The petition, therefore, is construed in part as an amended notice of appeal. *See In re Sweet Transfer & Storage Inc.*, 896 F.2d 1189, 1193-94 (9th Cir. 1990) (stating document not formally denominated notice of appeal may be treated as one if it clearly evinces the intent to appeal and provides notice to both opposing party and court).

The Clerk shall transfer the petition to the clerk of the district court to docket as an amended notice of appeal. The amended notice of appeal shall be deemed filed in the district court on November 30, 2018.

Upon transmittal of the petition to the district court, the Clerk shall close this original action.

No further filings will be entertained in this closed case.